

REMARKS

Claims 6 and 7 have been amended better to point out that which applicant regards as his invention. A new claim 18 depending from claim 7 has been added, directed to particular embodiments of the invention.

The election of species requirement and the withdrawal of claims 3, 8 to 14 and 16 from consideration is noted.

The drawings were objected to under 37 CFR §1.83(a) on the alleged ground that the magnetic piece disposed in the recess constituting the subject matter of claim 7 had to be shown or the feature canceled from the claim. A proposed drawing correction was required. Applicant respectfully submits that there is no need to submit a proposed drawing correction because the drawings in the application properly and clearly show the subject matter of original claim 7. The Examiner's attention is directed to page 15, lines 22 to 24, referring to magnetic piece 5, which is clearly depicted in each of Figs. 1, 2, 3, and 5. Thus, the magnetic piece is described and shown in the case as filed. The objection should be withdrawn. Should the Examiner, after considering these comments, believe that a drawing change of any sort is still needed, he is asked to telephone the undersigned.

The rejection of claims 6 and 7 under 35 USC 102, as anticipated by Ogino, if applied to the claims as amended, is

respectfully traversed. Claim 6 has been amended specifically to state that the recessed portion is provided at the bottom portion of the enclosed container of the compressor.

It is asserted in the Office Action that the bottom of element 2 of the Ogino article constitutes a recess capable of collecting foreign matter provided at an inside of a lowest portion of the enclosed container. Applicant respectfully submits that the bottom of 2 of the Ogino device is not a recess, and that the only recess discussed at all is one found in the magnet holding device 6 disposed inside the closed container. That magnet holding device 6 has a recess portion 6e, which permits attachment of the magnet holding device 6 to the bottom of the lower chamber 2. The reference mentions depositing spatters and dust in pocket portion 6f, but there is no teaching or suggestion of a recess portion in the bottom portion of the enclosed container. It is also believed clear that the recess portion 6e in the Ogino device is present to permit stable attachment of the magnet holding device to the bottom portion because of the curved nature thereof.

Instant Fig. 3 shows an embodiment of the present invention where the recess (concave) portion formed at the bottom portion of the enclosed container has a convex shape when viewed from outside the bottom of the container. The convex portion fits in the recess (concave) portion of the magnet. By fitting the convex portion of

the enclosed container in the concave portion of the magnet, the magnet can be fixed to the enclosed portion without having to use a holding device, as shown in (and indeed required by) the reference. The rejection should be withdrawn.

The rejection of claim 17 under 35 USC 103 as unpatentable over Ogino is respectfully traversed also. That claim is patentable for the reasons given above with respect to the patentability of claims 6, 7, and 18. The rejection should be withdrawn.

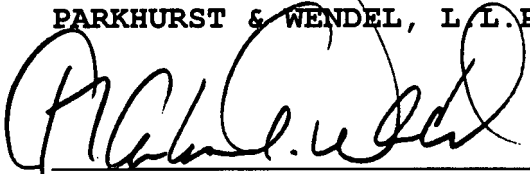
The citation of various references characterized as pertinent to the disclosure is acknowledged with appreciation, as is the listing of references provided with an Information Disclosure Statement. The Examiner is asked, however, to acknowledge applicant's formal claim of priority under 35 USC 119.

In view of the foregoing revisions and remarks, it is respectfully submitted that claims 6, 7, 17, and 18 are in condition for allowance and a USPTO paper to those ends is earnestly solicited.

The Examiner is requested to telephone the undersigned if further changes are required in the case prior to allowance. If the barrier to allowance is the presence of non-elected claims 3, 8 to 14 and 16, the Examiner is authorized to cancel those non-elected claims for that express purpose.

Respectfully submitted,

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December 13, 2001

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MARK-UP

(Amended)

6. A compressor having a compressing mechanism incorporated in an enclosed container, wherein a recess portion having an action of collecting foreign matter is provided at [an inside of a lowest] portion of the enclosed container.

the bottom

(Amended)

7. The compressor of claim 6, wherein a magnetic piece is [disposed in] the recess.

filled into

portion provided at the bottom portion of

the enclosed container